

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RD-6665

DANIEL WIRSHUP,

PLAINTIFF,

-AGAINST-

NOTICE OF MOTION

CV05-4086 (ERK)(ARL)

SUFFOLK COUNTY POLICE DEPARTMENT;
THOMAS J. SPOTA; SUFFOLK COUNTY
DISTRICT ATTORNEY'S OFFICE; ASSISTANT
DISTRICT ATTORNEYS JANE AND JOHN
DOES "1"- "5," KEVIN WARD, JOHN SCOTT
PRUDENTI, AND CHRISTOPHER NICCOLINO;
DETECTIVES/POLICE OFFICERS TOM
ICAPELLI, ROBERT AMATO, RAYMOND
FELICE AND JOHN AND JANE DOES "1"- "5,"
AND THE COUNTY OF SUFFOLK,

Defendants.

PLEASE TAKE NOTICE, that upon the annexed Affirmation of Richard T. Dunne, Assistant County Attorney, and upon the accompanying Memorandum of Law herein, and upon all prior pleadings and proceedings, the undersigned will move this Court, before the Honorable Edward R. Korman, U.S.D.J., at the Brooklyn Courthouse, located at 225 Cadman Plaza, Brooklyn, New York, for judgment on the pleadings pursuant to Rule 56 dismissing the complaint.

Dated: Hauppauge, New York
October 31, 2007

Yours,

CHRISTINE MALAFI
SUFFOLK COUNTY ATTORNEY
Attorney for Defendants
H. Lee Dennison Building
P.O. Box 6100
Hauppauge, New York 11788-0099

By:

Richard T. Dunne/RD-6665
Assistant County Attorney

To:

Bruce A. Barkett, Esq.

Attorney for Plaintiff

Law Offices of Bruce A. Barkett, P.C.

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